

# nłe?kepmx Impact Assessment Major Projects Strategy

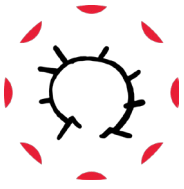
2025

Prepared by the Citxw Nlaka'pamux Assembly



**Citxw Nlaka'pamux Assembly**

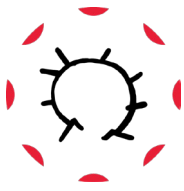
Ashcroft Boston Bar Coldwater Cook's Ferry Nicomen Nooaitch Shackan Siska



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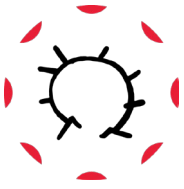
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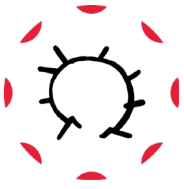


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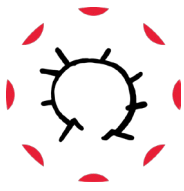


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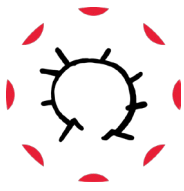
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## GLOSSARY AND ABBREVIATIONS

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BC	British Columbia
CNA	Citxw Nlaka'pamux Assembly
CBI's	Community Based Indicators
CWG	Community Working Group
EA	Environmental Assessment
EAO	Environmental Assessment Office
FPIC	Free, Prior, and Informed Consent
nIA	nłe?kėpmx Impact Assessment
nIAF	nłe?kėpmx Impact Assessment Framework
OCAP	Ownership, Control, Access, Possession
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples



## Intent

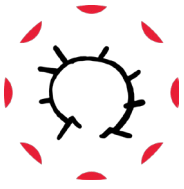
### Background

The Citxw Nlaka'pamux Assembly (CNA) was created in 2013, but our work is rooted in thousands of years of history and a legacy of protecting the n̓eʔk̓épmx people, culture, values, and Territory. This work to protect and advance n̓eʔk̓épmx rights, title, values and laws is a modern iteration of efforts that stretch back to the 1800s when the aggressive incursion of thousands of gold miners resulted in the Canyon War (Fraser Canyon War) in 1858. At that time, strong n̓eʔk̓épmx leaders such as Chiefs Spintlum (Cexpe'ntlEm) and Kowpelst (C'aupəlstən) played crucial roles in navigating the conflict and avoiding a full-scale war.

Although the violence subsided, the Canyon War marked the beginning of a long struggle for recognition and protection of n̓eʔk̓épmx rights to land and resources. In this century, the Teck Resources Highland Valley Copper (HVC) mine, an open-pit copper and molybdenum mine operating within the unceded Territory of the n̓eʔk̓épmx Nation, operated (in various iterations) for about 50 years before n̓eʔk̓épmx leaders of the eight Participating Bands, Ashcroft Indian Band, Boston Bar First Nation, Coldwater Indian Band, Cook's Ferry Indian Band, Nicomen Indian Band, Nooaitch Indian Band, Shackan Indian Band and Siska Indian Band, negotiated agreements with the company and the province in 2013. The CNA was founded to enact these agreements, which go beyond revenue-sharing to incorporate the cultural and community needs of the eight Participating Bands.

The CNA plans to build on the legacy of our past leaders and community members to ensure a healthy, culturally grounded future for our people. We have a clear vision to provide positive opportunities that will enhance the economic and social well-being of our communities and members. Our work is part of a collective effort in the n̓eʔk̓épmx Nation to sustainably manage natural resources and economic development in our Territory. For it is tmíx<sup>w</sup> (our land and all it encompasses) that forms the essence of our n̓eʔk̓épmx culture, identity, and values. Together, we will determine how to care for our lands, protect our culture, and uphold our rights and title over our Territory. In this way, we collectively honour and carry on a legacy of leadership.

The original CNA Environmental Assessment (EA) Strategy was developed for the Highland Valley Copper Mine Life Extension Project. The CNA EA Strategy was based on general criticisms from many Indigenous communities, including the Participating Bands, stating that the British Columbia (BC) EA process does not adequately consider Indigenous jurisdiction or impacts to Aboriginal rights and title. As such, the CNA identified the need to develop this strategy to address the concerns with the current legislative regime and to ensure that projects within the territory are assessed in a way that adequately addresses impacts to n̓eʔk̓épmx rights, title,



principles, and interests. The strategy is organized in a way that aligns with specific phases of the BC EA and can be adapted to work with other regulatory processes.

The strategy focuses on three key relationships: CNA and the Participating Bands, CNA and the Regulators, and CNA and the Proponent.

This strategy is meant to provide guidance to the CNA in their assessment of a proposed project in the territory. It serves as a tool for engagement and assessment moving forward in the work required to identify and assess potential impacts nłe?kėpmx rights and interests in the territory from the proposed project.

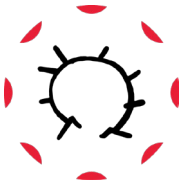
The CNA has developed this strategy to identify opportunities for more fully informed engagement, government-to-government collaboration, and improved decision-making as the Project proceeds through development and the regulatory process. This strategy outlines opportunities for nłe?kėpmx communities to be more fully informed, nłe?kėpmx knowledge to inform decisions made throughout the process, and to develop and implement tools to ensure impacts to nłe?kėpmx rights and interests are identified and addressed.

## Key Relationships

The project will involve many different activities and relationships that support the project's development. These will vary depending on the specific project and regulatory processes required. Three key relationships have been identified throughout the Strategy: the CNA and the Participating Bands, the CNA and the Regulator(s), and the CNA and the Proponent. Managing these relationships will ensure that regulatory engagement obligations are met for the Proponent and the Regulator, ensure that UNDRIP and FPIC are integrated, that there is proper support for the Participating Bands throughout the process, and that nłe?kėpmx can exercise their jurisdiction over the land.

## The CNA and the Participating Bands

The CNA ensures all mineral resource activity upholds nłe?kėpmx rights and title, principles, and interests and manages the implementation of the Participation Agreement between the eight Participating Bands and Highland Valley Copper Mine (HVC). The CNA supports the Participating Bands in making informed decisions relating to mineral resource activities in the nłe?kėpmx territory by clearly identifying, mitigating, and resolving potential impacts to nłe?kėpmx rights, title, value, and interests. This is to strengthen nłe?kėpmx jurisdiction within the nłe?kėpmx territory and bring the communities' process to the foreground of any decision-making authority with respect to mineral resource activities outside the Highland Valley Copper Mine area.



This process does not replace engagement and the crown's legal duty to consult with the eight Participating Bands. We support our Participating Bands in sustainably managing natural resources and economic development in the nłe?kėpmx territory in relation to mineral resource activities (i.e. mineral exploration, placer operations, major mines, etc.).

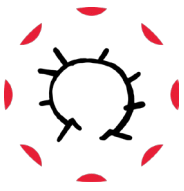
The CNA Board of Directors recognizes the well-established technical capacity of the CNA and will, from time to time, direct the CNA to review other major projects, such as the wind and solar projects within the territory from the 2024 Call for Power. The CNA Board of Directors may continue to direct the CNA to review other major projects in the territory.

As the CNA supports the Participating Bands, there must be effective and transparent communication and engagement between the groups. Further, it is paramount as a technical liaison between the communities and Proponents that the CNA ensures that there is understanding in the communities about activities carried out by the Proponents. The CNA Participating Bands relationship approach seeks to ensure that the eight Bands are informed and engaged throughout the regulatory process.

Engagement with the Participating Bands will vary depending on the project and regulatory processes. For example, a large mine expansion will have broader and more frequent engagement than a relatively small wind project on the edge of the nłe?kėpmx Area of Interest. However, all projects will still require engagement with Leadership, the Community Working Group, and the broader CNA membership.

Broader community engagement will occur at least once during the regulatory process, with the CNA going into each of the eight communities. The CNA will also create the expectation that the Proponent fosters a relationship with communities and leadership and engages with them directly. The CNA can help facilitate these relationships and discussions.

Leadership of the Participating Bands will be updated at least once during each Major Milestone. These updates may be provided to the CNA Board of Directors or may also include the CNA providing updates at Chief and Council meetings, at the direction of the Participating Bands. To discuss more technical aspects of the projects, the CNA will engage with the Community Working Group (CWG). The CWG is a table for grassroots discussions between nłe?kėpmx community members and CNA technical staff to conduct meaningful work that protects nłe?kėpmx title, rights, laws, values, and interests. The working group consists of members from each of the eight Participating Bands, with an aim to have a variety of demographics within the communities, who have knowledge relating to nłe?kėpmx land use, values, nłe?kėpmx laws and practices, rights, or environmental assessment and/or are actively involved within the community.



Building strong relationships between the CNA and the Participating Bands is vital to the success of the nłe?kėpmx Impact Assessment and ensuring that the Participating Bands are informed for their decision-making purposes.

## The CNA and the Regulator(s)

This section provides guidance to the CNA and the Participating Bands to improve engagement and collaboration in the regulatory process with the government. Generally, the current regulatory processes do not recognize the jurisdiction of nłe?kėpmx governments within nłe?kėpmx territory, which leads to inadequate consultation and Leadership not having enough information for decisions on resource development projects.

Typically, this will be with the provincial government, but for certain projects, the federal government or other regulators may be involved as well. The CNA will work to form relationships with the relevant ministries and may create technical working groups with representatives from multiple ministries to avoid a siloed approach.

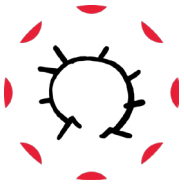
The process of assessing impacts to nłe?kėpmx rights and interests cannot be based solely on an assessment framework designed for western worldviews because it does not consider nłe?kėpmx worldviews and the complexities of defining Aboriginal rights and interests for the nation. If the process cannot adequately define nłe?kėpmx rights and interests, it cannot adequately assess the impacts of the proposed activities on them. To fully understand the potential impacts of projects, the CNA will conduct a nłe?kėpmx Impact Assessment for proposed projects and work with the regulator(s) to integrate the assessment into the statutory decision-making process.

The relationship approach for the Participating Bands and the regulator will be aligned with the regulatory process that applies to the project. These phases include pre-application, application development, application review, decision, and post-application.

## The CNA and the Proponent

The relationship between the Proponent and the CNA is vital to ensuring that communities' rights, principles, and interests are integrated throughout the project lifecycle. The strategy for the relationship will vary based on the project. There are a variety of aspects that may impact the relationship between the CNA and the Proponent, such as the ownership of the project and the previous relationship (or lack thereof) between the CNA and the Proponent. Any pre-existing agreements with the Proponent will be utilized as part of this relationship.

To improve the relationship between the Proponent and the CNA, there may be a technical working group that is formed to discuss communities' concerns and provide feedback on all aspects of the project. This working group or discussions with the Proponent will be the



regular forum for interaction and feedback on the project, such as employment, contracting, environmental management, and cultural heritage.

Wherever possible, the CNA will ensure that the project work plan aligns with objectives identified by the Participating Bands. Regular communication is key to ensuring that the CNA is fully informed of all activities associated with the project and that the Proponent is aware of the communities' interests, principles, and concerns as early as possible.

## Assessment Methods

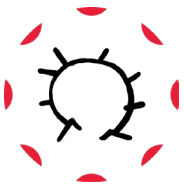
### nłe?kėpmx Impact Assessment Framework

In British Columbia (BC), major projects are assessed typically through a western science perspective for potential environmental, social, economic, health and cultural effects by the Environmental Assessment Office (EAO). The *Environmental Assessment Act* (2018) requires that the BC EAO, as an agency of the Crown, ensure meaningful engagement and consensus with Indigenous Nations throughout the EA process. Indigenous Nations are invited to provide notice of consent at the conclusion of an EA process. The nłe?kėpmx Impact Assessment Framework (nIAF), supports CNA leadership's ability to meaningfully collaborate during the EA process and supports their decision-making process at the conclusion of an EA process.

For the projects within the territory that do not meet the triggers within the *Environment Assessment Act*, or have been granted exemption from an Environmental Assessment, an Impact Assessment is just as important, or more important to have to appropriately address the impacts to nłe?kėpmx title, rights, values and interests. The nIAF supports the CNA leadership's ability to be informed about projects in the territory.

The nIAF applies nłe?kėpmx Knowledge to policy and assessments that have been informed through a western science-based perspective to meaningfully understand impacts to rights, title, principles and interests. The nłe?kėpmx Impact Assessment Framework informs an nłe?kėpmx Impact Assessment report. The benefits of a nłe?kėpmx Impact Assessment include that appropriate consideration and assessment are given to nłe?kėpmx values, perspectives, legal traditions, culture, rights, socio-economic balance, connection to the land, and impacts to future generations. Past, present, and future impacts, as well as cumulative effects, are considered, ensuring that there is a wholistic assessment of the impacts.

The framework is comprised of a series of questions that are applicable to a range of topics and interests. The questions are asked while reviewing the project and can be answered through the information provided in the document, and with the supporting nłe?kėpmx Knowledge and literature. This is the process of giving equitable weighting to nłe?kėpmx Knowledge and



western science, as both are vital to understanding the full impacts the project will have on nłe?kėpmx rights, title, values and interests.

The general questions should be applicable to all projects. Some questions in the framework may not apply to projects in the exploration stage or projects that have less information available at the time of assessment. In this case, the nIAF questions can be chosen appropriately for the project. The series of questions within the nIAF can be found in Appendix A.

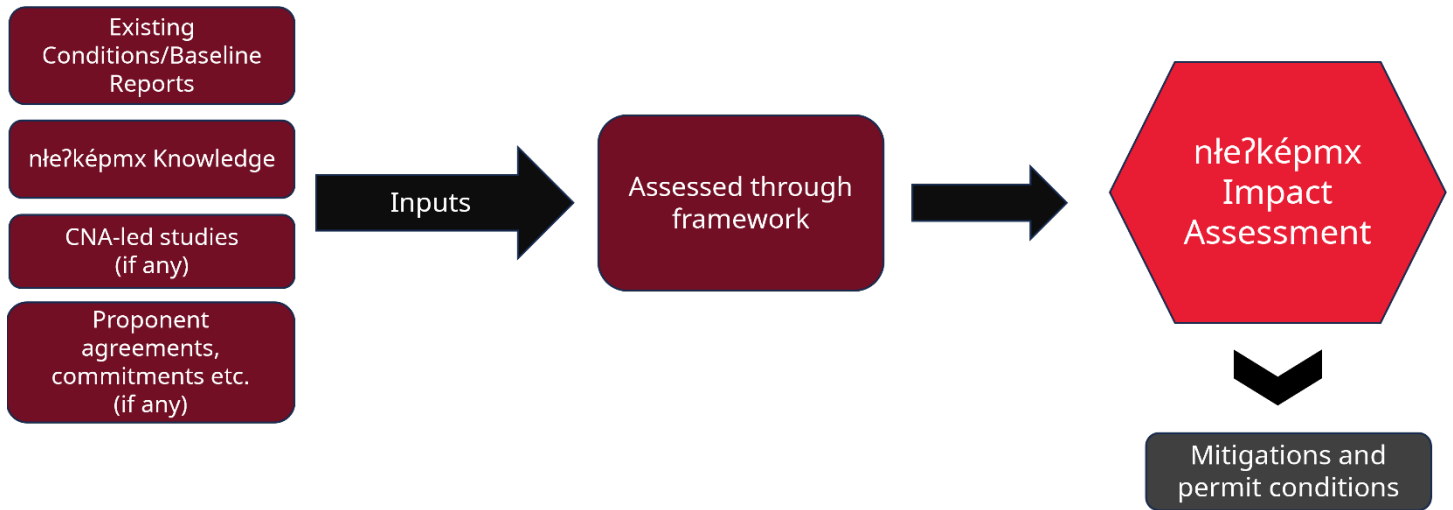


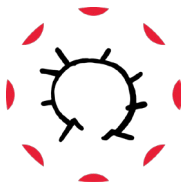
Figure 1: Flow Chart of Assessment

### Community Based Indicators

Alongside the nIAF, the Community Based Indicators (CBIs) are important for understanding how a project may impact nłe?kėpmx. While originally developed for the Highland Valley and HVC’s Mine Life Extension Project, these will be adapted to apply throughout the territory. Additionally, as culture lives, adapts, and changes in response to the current social and physical environment, these indicators will evolve and change over time.

The CBIs primarily reflect the CNA Participating Bands’ interests pertaining to the impacts on culture and rights that were caused by the HVC’s impacts on tmıx<sup>w</sup> and on the communities.

Words with an asterisk (\*) indicate that the English language inadequately captures the intent or full meaning that the CWG group wished to convey. A group of nłe?kėpmxcın language speakers has been convened by CNA to identify an appropriate nłe?kėpmxcın word or phrase. The full CBIs and indicators can be found in Appendix B.



## n?eye ne tmix<sup>w</sup>kt (Here on Our Land Principles)

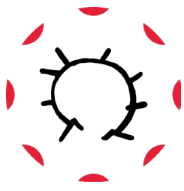
n?eye ne tmix<sup>w</sup>kt (Here on Our Land) Principles are broad guiding principles for the CNA and companies operating within the territory. These are the standards that the CNA holds all natural resource companies to.

The principles are grouped under four core values: Balance, Teachings, Governance, and tmix<sup>w</sup>. q<sup>w</sup>ú? (water) has also been included as a subvalue, to emphasize its importance as the great integrator. These principles will be updated as needed to reflect communities' evolving values and priorities.

These principles support the protection of nłe?kėpmx rights and title, values, and interests. They have been developed using stories, discussions with our working groups, discussions with elders, in-community engagement, and other values we have heard from community members.

## Assessing Relationships

The relationship between the CNA and the proponent will be assessed throughout the process. It will be assessed by looking at the agreements, the existing relationship, whether there are recurring issues, and what has been done to advance the relationship with the CNA and the Participating Bands. The CNA will also assess whether the proponent has followed the CNA Engagement Policy. If there has been any public reporting from the company, this will also be looked at to see if they've included the CNA in any way, and if we were engaged prior to the reporting being released.



# Major Milestones

## Major Milestones

Pre-Application

- Meet regularly with proponent
- Gathering and sharing information with communities
- Provide an update to Leadership
- Identify potential nłe?kėpmx-led baseline studies, if needed
- Review Valued Components, if applicable
- Collaborate on development of Project Description, if needed
- Collaborate on development of Application Information requirements
- Develop a process to track comment/response
- Identify participation in working group with regulator, if any
- Develop dispute resolution process, if none already

Application Development

- nłe?kėpmx Knowledge authorship, or other sharing agreement with proponent
- In community information/data gathering
- Initiate nłe?kėpmx-led studies, if any have been identified
- Begin mitigation development
- Provide Leadership with an update
- Engage with Community Working Group

Application Review

- Technical review of application
- Regulator will share tracking table with CNA
- Starting to apply the nIAF
- Verifying information with communities
- Leadership Update
- Mitigation/accommodation development
- Participation in working group with the regulator, if any

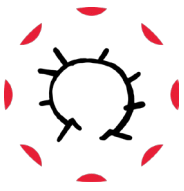
Application Decision

- nIA submission to Leadership, proponent and regulatory body
- Integration of mitigations
- Finalizing of draft conditions, mitigations, and accommodations
- Presentation of nIA results to community

Post-Application

- Provide communications on final decisions and monitoring plans for the Project
- Develop a compliance agreement for the Project, unless one already exists
- Identify opportunities for CNA participation in monitoring

Figure 2: Visual for Major Milestones within the Major Projects Strategy



## Pre-Application

This phase of the process will include collaborative engagement through the review and development of the Project Description to ensure that nłe?kėpmx rights, principles, and interests are addressed. Engagement should include participation, review, assessment, and recommendations.

The CNA will work with the regulator to develop an approach to the regulatory process that addresses engagement concerns, incorporates nłe?kėpmx principles, and tools that recognize the roles and responsibilities of the Participating Bands as decision makers and a process for consensus-based decision making.

With Leadership, the regulator, and the proponent, the CNA will review the CNA-led nIAF for the Project. The CNA will work with the proponent to develop an engagement strategy for the regulatory projects, which will include a reporting schedule to provide early and ongoing updates to the Participating Bands.

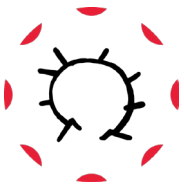
The CNA will work with the proponent to develop a budget describing the financial needs of the CNA to participate in the regulatory process and conduct a nłe?kėpmx Impact Assessment.

If the regulator decides that there should be a working group for the project, such as a technical advisory committee as part of an Environmental Assessment, then the CNA will identify their interest in participating.

This is also the stage where a dispute resolution process will be identified, if there is not already a regulation in place.

To ensure this is achieved, the CNA will:

- Meet regularly with proponents
- Sharing early information with communities
- Gathering information for communities
- Provide an update to Leadership
- Identify potential nłe?kėpmx-led baseline studies, if needed
- If there is a Valued Component effects assessment or a similar assessment during the regulatory process, the CNA will review to ensure meaningful consideration of nłe?kėpmx values, rights, principles, and interests
- Collaborate on the development of a Project Description, if needed
- Collaborate with the Proponent and government on the draft development of the Application Information requirements
- Work with the Proponent and the regulator to develop a process to track review comments/questions and responses



- Identify participation in a working group with the regulator, if any
- Development of a dispute resolution process if there is none already

## Application Development

During this phase of the review process, the CNA will work to integrate nłe?kėpmx knowledge into the application. Depending on the project, this may include nłe?kėpmx authorship directly into the application. If nłe?kėpmx authorship will not occur, the CNA will identify how information will be shared, if any, with the proponent and/or the regulator. All information sharing will follow OCAP (Ownership, Control, Access, Possession) and other data governance principles to ensure nłe?kėpmx knowledge is protected.

This stage is where the bulk of information gathering for communities will occur. The CNA will review any baseline studies that have been conducted related to the project, to begin assessing impacts to nłe?kėpmx rights, title, values, and interests. The information that the CNA gathers will be shared with the Participating Bands, and an update will be provided to the Leadership of the Participating Bands.

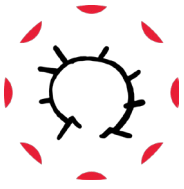
If any nłe?kėpmx-led studies have been identified, they will be initiated during this phase. If necessary, the CNA will work with the Participating Bands by utilizing the Community Working Group to develop mitigation measures or accommodations. If consensus with the regulator(s) on the mitigation measures cannot be reached, a decision will be made to utilize dispute resolution tools available, or a summary will be included in the CNA nIA Report. The Community Working Group will also be the forum to engage with the Participating Bands on the residual and cumulative effects of the proposed project.

The key activities during this stage include:

- nłe?kėpmx authorship, or other sharing agreement with proponent
- In community information/data gathering
- Initiate nłe?kėpmx-led studies, if any have been identified
- Begin mitigation development
- Provide Leadership with an update
- Engage with Community Working Group

## Application Review

During the application review phase, the CNA will provide a technical review of the application, as well as review how the project will impact nłe?kėpmx title, rights, values, and interests. It is preferred to discuss our comments directly with the proponent alongside submitting a tracker, to check assumptions, and work towards solutions.



Throughout the review, the nIAF will be applied, and the nIA for the project will start to be developed, as well as draft mitigations and conditions. Engagement with the Community Working Group will continue to ensure that we have identified and assessed all potential impacts to nłę?kėpmx, and begin to develop mitigations, conditions, and accommodations.

Near the end of Application Review, it will be important to go back into communities to verify the information gathered in the pre-application stage and confirm nothing was missed that is of importance to the Participating Bands when assessing the impacts of the project, and to support the development of the nIA.

Depending on the regulatory process, meetings with the regulator and/or any existing working groups with the regulator will occur. The regulator will also provide the CNA with the full review/response tracking table.

The key activities during this stage include:

- Technical review of application
- Regulator will share a tracking table with CNA
- Starting to apply the nIAF
- Verifying information with communities
- Leadership Update
- Mitigation/accommodation development with the Proponent and/or the regulator.
- Participation in a working group with the regulator, if any

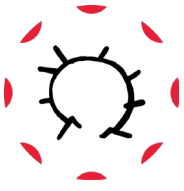
## Application Decision

At this stage, the nIA will be complete and provided to Leadership and the eight Participating bands, the proponent, and the regulatory body. The nIA will aid in the decision-making for both the communities and the regulator(s).

It will be important to engage communities to present the results of the nIA to follow up on all the work done throughout the process.

Finalize conditions, mitigations, and accommodations related to the Project

- nIA submission to Leadership, proponent and regulatory body
- Integration of mitigations through collaboration with the proponent and the regulator
- Finalizing draft conditions, mitigations, and accommodations
- Presentation of nIA results to communities, including developed mitigations



## Post-Application

At this stage, the CNA will share the completed nIA report with the eight Participating Bands. As part of this engagement, the CNA will communicate the final decisions and monitoring plans for the Project.

If the project is approved, the CNA will be involved in compliance monitoring, including participating in compliance reviews, receiving compliance reports, and being notified of all non-compliance events.

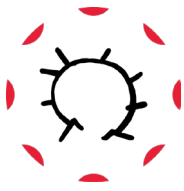
The CNA will work with the Proponent and the regulator to develop a monitoring plan for the project, which will identify opportunities for CNA participation. Additionally, the CNA will work with the regulator and Proponent to ensure that any mitigation measures are implemented. Progress on these mitigation measures will be reported back to the eight Participating Bands.

Key activities post-certification:

- Provide communications on final decisions and monitoring plans for the Project
- Develop a compliance agreement for the Project, unless one already exists
- Identify opportunities for CNA participation in monitoring

## Conclusion

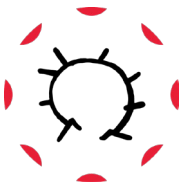
Defining the process for how the CNA will assess major projects within nê?kêpmx territory is vital to ensuring transparent, thorough, and frequent communication between the regulator(s), the Proponent, and the Participating Bands, as well as ensuring the protection of nê?kêpmx rights, title, values, and interests.



## APPENDIX A: nłe?kėpmx Impact Assessment Framework Questions

Table 1: Framework Questions

NIAF Question
How will the project physically alter or destroy landscape features, culturally important sites, or preferred hunting/fishing/harvesting/recreation areas?
How will the project physically alter or destroy nłe?kėpmx cultural heritage resources?
How will the project impact the feeling of connection to the land or the ability to restore connection to the land for current and future generations of the Participating Bands?
How will the project impede access to culturally important sites or preferred hunting/fishing/harvesting/recreation areas for current and future generations of the Participating Bands?
How will the project impact current and future generations of the Participating Bands to use the land for agricultural purposes?
How will the project impact the ability of the land to return for current and future generations of the Participating Bands?
How will the project impact the availability of safe and/or perceived availability of safe water to meet the water needs of current and future generations of the Participating Bands?
How will the project impact the overall health and wellbeing of current and future generations of the Participating Bands?
How will the project impact the socio-economic health of the current and future generations of the Participating Bands?
How will the project impact the availability of safe food and/or perceived availability of safe food for the Participating Bands to sustain food sovereignty?
How will the project impact current and future generations of the Participating Bands' ability to utilize the land for food sovereignty activities, spiritual/cultural, or recreation peacefully and free of disruption?
How will the project impact the ability to share knowledge, teachings, and nłe?kėpmxcin between current and future generations of the Participating Bands?
How will the project provide equitable business and contracting opportunities to current and future generations of the Participating Bands?
How will the project provide employment opportunities in a safe and respectful work environment for current and future generations of the CNA's Participating Bands?
How will the project provide equitable economic benefits to current and future generations of the Participating Bands?
How will the project impact the recognition of nłe?kėpmx Title and jurisdiction?



## APPENDIX B: Community Based Indicators

### Value: tmíx<sup>w</sup>

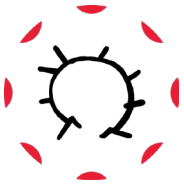
tmíx<sup>w</sup> is understood not only as ground, earth, or land, but tmíx<sup>w</sup> is also a more encompassing term meaning the world in its entirety, under the earth, in the earth, above the earth, the water in all its forms, the winds, and the skies. tmíx<sup>w</sup> was chosen as a Core Value because conceptually tmíx<sup>w</sup> articulates the relationships between all things and embodies the Nlaka'pamux worldview. Culturally important places that reinforce tmíx<sup>w</sup> include traditional burial sites, locations where puberty training takes place, landscape features that have spiritual importance or where rituals take place, and traditional gathering places shared with other Indigenous Peoples. Community Based Indicators under the tmíx<sup>w</sup> Core Value are Connection to All, Ecosystem Balance, Restoration, and Peaceful Enjoyment of tmíx<sup>w</sup>.

### Indicator: Connection to All

Connection to all is the holistic relational understanding when past, present, future, teachings, and tmíx<sup>w</sup> converge. Connection to all is assessed by measuring the ability for the CNA Participating Band members to connect to traditional nłeʔkėpmx stories that share value and teachings to culturally significant places and to ʔwıyap (fire), q<sup>w</sup>úʔ (water), snéwt (wind), and tmíx<sup>w</sup>. Observing changes to the quality, quantity, and availability of areas that hold cultural significance or observing landscape changes assesses the ability to connect to all. Connecting to all requires engaging all senses in relation to ʔwıyap, q<sup>w</sup>úʔ, snéwt, and tmíx<sup>w</sup>.

### Indicator: Ecosystem Balance

Ecosystem balance is the outcome that the CNA Participating Band members seek to achieve when cultural and environmental systems are restored and self-sustaining. Individual, family, and community balance depends on eco-system balance. nłeʔkėpmx Knowledge teaches about the responsible use of fire (ʔwıyap) and its role in maintaining ecosystem balance to support tmíx<sup>w</sup> use. At the in-person working session held in late September 2022, a CNA Participating Band member explained that traditional uses of ʔwıyap will support healthy foliage growth. The healthy foliage will then attract deer and other wildlife. The deer and other wildlife will feed on the healthy growth, which will support their health. People hunting and consuming healthy deer or other wildlife are contributing to their mental, physical, emotional, and spiritual balance and supporting cultural continuity. In November 2022, this same CNA Participating Band member stressed that trees are being replanted in such a way that wildlife, such as sq<sup>w</sup>oq<sup>w</sup>yac (rabbits), cannot live in the area. The way the trees are being replanted will ultimately create imbalances in every aspect of life. Ecosystem balance reinforces a holistic and relational worldview. Although the land has been irreversibly altered, efforts to return the land to a balanced state can be assessed and measured. The CNA is interested in understanding and measuring changes to the quality



and quantity of water, and habitats for wildlife as well as holistically monitoring an extensive list of wildlife and vegetation species.

### Indicator: Restoration

Restoration of tmíx<sup>w</sup> is closely connected to cultural restoration and intergenerational knowledge transfer. When the landscape changes, the opportunity to teach future generations about significant places and harvesting areas decreases the ability to pass on culture and strengthen a sense of cultural identity. During a community gathering at an Open House, an Elder explained that “a wound to the land is the same as a wound to the people,” (Anonymous 2022). Restoring and healing the tmíx<sup>w</sup> contributes to restoring culture and healing people. The CNA is interested in assessing the confidence level of their Participating Band members that tmíx<sup>w</sup> and q<sup>w</sup>ú? will one day be restored, as well as observing evidence of increased land suitable for haying and grazing, and the presence of culturally identified significant species of wildlife and vegetation in the Witches Brook watershed.

### Indicator: Peaceful Enjoyment of the tmíx<sup>w</sup>

Peaceful enjoyment of tmíx<sup>w</sup> supports the nłe?kėpmx to exercise their inherent Rights. Their nłe?kėpmx Territory needs to be free of unnatural distractions and irritations to facilitate connection to all. Peaceful enjoyment of tmíx<sup>w</sup> is equally important for wildlife as it is for people. The activities of the HVC Mine Site have changed air quality, water quality, quantity and availability, fish and fish habitat, vegetation and ecosystem resulting in changes to culture because of the value to the CNA Participating Band members have for their culturally significant places and relationship to tmíx<sup>w</sup>.

### Value: Governance

Historical processes including colonization, residential schools, and events such as industrial development, fires, and floods have resulted in intergenerational trauma, poor social outcomes, and divisions within families, communities, and Nations – all of which impacted self-determination, cultural resilience, and Governance. Article 18 affirms that “Indigenous Peoples have the right to participate in decision-making in matters which would affect their Rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions” (United Nations 2007). The CNA expressed that self-governance, self-determination, and jurisdiction over their lands creates the social, economic, and political conditions to achieve balance. However, clear communication and accurate and accessible information are necessary for nłe?kėpmx communities to govern effectively, make informed decisions, and fully exercise their inherent Rights. Community Based Indicators identified under the Governance Core Value are Equal Representation, Effective Leadership, Communication, Guardians of the land, Protection, Non-nłe?kėpmx Community Education, and Accountability.



### Indicator: Equal Representation

The CNA Participating Band members desire increased inclusion in community decision-making that ensures community concerns are addressed and acted upon. Equal representation in community governance goes hand-in-hand with participation in community events that are accessible and inclusive for everyone. Equal representation creates opportunities for all members of the community to feel empowered to influence the decisions that affect them. The CNA is interested in measuring whether community engagement and participation in the decisions that effect the communities, including decisions about the governance of the land, represents the diversity that exists in the communities.

### Indicator: Effective Leadership

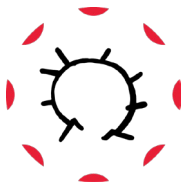
A community or individual's ability to adapt to a shock or stress in life (i.e., pandemic, climate change events, changes in leadership, personal stresses) hinges on effective leadership at the individual and community level. The ability to be resilient against shocks or stresses depends on the level of trust that individuals and communities have with each other so that they can support each other in times of crisis. Empowered individuals and communities who are confident in their ability to care for tmıx<sup>w</sup> are more likely to be resilient. Confidence levels to exercise inherent Rights and care for tmıx<sup>w</sup> including wildlife and vegetation, Ƴwıyıp (fire) and air, and the CNA's satisfaction with their ability to determine what happens in their territory are measures indicating effective leadership. The ability to recover from a stress or shock and having emergency plans and protocols are also measures to indicate the CNA's Governance. The HVC Mine Site has impacted the land in ways that were out of the CNA's leadership's control, impeding their ability to determine and govern what happens in their nłe?kėpmx Territory.

### Indicator: Communication

Increased transparency and accessible communication to CNA nłe?kėpmx community members about the HVC Mine Site's impacts; efforts to protect and mitigate risks, and future plans for land restoration/reclamation, is needed to support informed decision-making at the individual, community, and Nation levels. Successful communication can be measured by the CNA's satisfaction with the information shared by HVC about the HVC Mine Site and the opportunities that the CNA Participating Bands have to collect information, ask questions, engage in dialogue, and share their observations and opinions.

### Indicator: Guardians of tmıx<sup>w</sup>

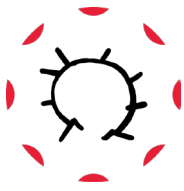
tmıx<sup>w</sup> is central to nłe?kėpmx identity and culture. nłe?kėpmx deeply care for and feel responsible for supporting ecosystem balance. Individuals and communities can govern effectively and sustain their culture when they can access, use, observe, and care for the land. Due to the HVC Mine Site impacts on tmıx<sup>w</sup>, some community members reported that they have less access to tmıx<sup>w</sup> and must travel much farther for hunting (kwılxms), fishing (wėwłm), and harvesting and are not guaranteed that they will be successful in their efforts (Anonymous 2022). Food sovereignty that supports cultural sustainability and resilience depends on accessible tmıx<sup>w</sup> for kwılxms (hunting), wėwłm (fishing), and harvesting. The word



guardian is being used as an English language placeholder to describe the relationship that nłe?kėpmx have with tmıx<sup>w</sup> until an appropriate nłe?kėpmxcın word can be identified. The HVC Mine Site altered the landscape and brought non-nłe?kėpmx people into the area because of employment opportunities. These changes add pressures to kwılxms (hunting) and harvesting in the nłe?kėpmx territory, which then interferes with nłe?kėpmx exercising their Inherent Rights and protecting food sovereignty. Sustaining nłe?kėpmx culture and protecting food sovereignty in response to these changes is tied to Governance and may include policy tools such as licences or permits for kwılxms (hunting) or harvesting that the nłe?kėpmx can use to care for and protect tmıx<sup>w</sup> and wildlife. For example, a CNA Participating Band member shared that until recently there was a fish shortage. A decrease in fish meant that nłe?kėpmx community members turn to kwılxms (hunting) ungulates to ensure their food security. However, hunting licences and permits are based on estimations and do not consider how imbalances, such as a fish shortage, creates pressures elsewhere. Because of kwılxms (hunting) pressure caused by non-nłe?kėpmx hunting in the territory and increased need for ungulates by the nłe?kėpmx communities, there was increased competition for ungulates. nłe?kėpmx hunters described more difficulty in securing food for their communities and families. Hunting pressures threatens nłe?kėpmx food security and ultimately nłe?kėpmx food sovereignty (Anonymous 2022). The HVC Mine Site also interferes with access to tmıx<sup>w</sup> in the nłe?kėpmx territory and the ability to observe, analyze, and interpret the tmıx<sup>w</sup>. Information obtained from being on tmıx<sup>w</sup> increases understanding of what is happening on tmıx<sup>w</sup> and supports good decision-making for strategies that protect tmıx<sup>w</sup>. For example, observations in skepyėlp (rose bushes) can provide information about fish. Observing changes in tmıx<sup>w</sup> and the seasons can provide useful information when making decisions for the environment. Observing tmıx<sup>w</sup> is also an important teaching that can be shared with future generations and protects cultural survival (Falkirk 2023).

### Indicator: Non-nłe?kėpmx Community Education

The CNA Participating Band members described friction between the HVC Mine Site and non-nłe?kėpmx people because of the lack of knowledge demonstrated by non-nłe?kėpmx people about nłe?kėpmx Rights, Interests or Values. Lack of knowledge by non-nłe?kėpmx people can translate into actions that are perceived as a lack of respect for the nłe?kėpmx people and tmıx<sup>w</sup>. Overharvesting mushrooms for profit or not having permission to harvest in an area is an example of the lack of knowledge non-nłe?kėpmx people have about the history, culture, and protocols related to the land. Non-nłe?kėpmx community education may help prevent future conflicts between nłe?kėpmx and visitors to the territory. The CNA is interested in understanding the experience of the CNA Participating Bands and the pressures created by non-nłe?kėpmx hunters. The CNA is interested in increasing public understanding of food sovereignty and the history of the HVC Mine Site and its relationship with the Participating Bands.



### Indicator: Accountability

The CNA Participating Bands raised concerns about employment practices at the HVC Mine Site. Community members were concerned that n̄eʔk̄eʔpmx employees did not have the same opportunities for senior level positions, or their skills were not recognized, and they were placed in positions that they were over-qualified for. Some community members raised concerns about the physical, mental, emotional, and cultural safety of the HVC Mine Site for Indigenous employees and for women. A common theme in conversations about the mine was the desire for increased transparency and information about employment at the HVC Mine Site.

Related to employment at the HVC Mine Site, CNA Participating Band members described that the amount of time that HVC employees dedicate to work, including their commuting time, means that they have less time and energy to put towards culture or passing culture to future generations. CNA Participating Band members also explained that the Human Resources policies are not flexible enough to allow people to participate in their culture. For example, the n̄eʔk̄eʔpmx definition for family and kinship relations is broader than the western definition of family that Human Resources policies are commonly based on. CNA Participating Band individuals may have several yéyeʔ (Grandma) or skʷoz (Aunt) and when one passes, they may not have the time-off to participate in cultural protocols or expectations for n̄eʔk̄eʔpmx funerals. Additionally, n̄eʔk̄eʔpmx employees require time away from work to participate in seasonal activities that support community cohesion (i.e., wéw̄m (fishing) and kw̄ílxms (hunting) and cultural sustainability and expression).

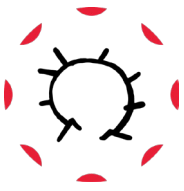
### Indicator: Indigenous Economies

The CNA Participating Bands' economy is comprised of both traditional and contemporary economic systems. The generation of sole-sourced revenue is essential for the CNA Participating Bands to increase economic self-determination by reducing their dependence on external funding. Sole-sourced revenue generation would enable the CNA Participating Bands to allocate financial resources based on their community needs and priorities without limitations and restrictions imposed by funders.

The n̄eʔk̄eʔpmx Traditional Economy is centred around animals and plants harvested from the n̄eʔk̄eʔpmx Homeland. Harvesting practices demonstrated values of respect and sustainability. Families had to produce sufficient stores of food for themselves, for trade, and to ensure cultural dietary restrictions associated with stations of life could be observed. The economy can be thought of as circular that includes trade based on surpluses, passing on of gifts, gifting the first animal hunted or caught, and caring for the broader community. (Esh-kn-am and NTA 2012).

### Value: Teachings

Passing on n̄eʔk̄eʔpmx knowledge, values, and way of life to future generations is vitally important to the n̄eʔk̄eʔpmx. Respect, sharing, and caring for tm̄íxʷ, air, qʷúʔ, wildlife, and each other were regularly expressed as teachings\* that support healing from the impacts of colonization, recover from the harms



made to tmıx<sup>w</sup>, and thrive in the future. The indicators identified in the Teachings value are Use of nłe?kėpmx Values in Personal Decision-Making, Knowledge of the Territory, Sharing Knowledge, Language, and nłe?kėpmx Community Education.

### Indicator: Use of nłe?kėpmx Values in Personal Decision-Making

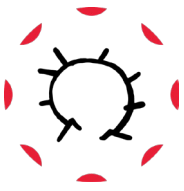
Understanding nłe?kėpmx values and teachings and how those values influence behaviour and decision-making is a sign of cultural resilience and sustainability. Applying nłe?kėpmx Knowledge to care for tmıx<sup>w</sup> can ensure environmental sustainability and healing from past wounds. A CNA Participating Band member explained that traditional values and awareness of others in the community and what they need or where they harvest influences her decisions about where, when, what, and how much to harvest to ensure that she did not overharvest. Her traditional values ensured that there were enough berries for everyone to meet their needs and that there would also be berries for the next year (Anonymous 2022). Assessing how nłe?kėpmx values are understood and applied can be measured by evaluating the knowledge and understanding that individuals have of nłe?kėpmx values. Understanding how nłe?kėpmx values guide actions and decisions for individuals and for leadership when exercising Rights and Title.

### Indicator: Knowledge of the Territory

Particular locations or landscape features may be culturally significant because they were once used for ritualistic purposes, were connected to traditional sptėk<sup>wł</sup> (creation story) or were community gathering places. Future generations or individuals reclaiming their nłe?kėpmx culture lose the opportunity to learn about culturally significant locations when those locations are inaccessible because of the HVC Mine Site. A CNA Participating Band member shared that Witches Brook has moose crossings and was once used for wėwłm (fishing) and camping. Witches Brook would have been an important location for transmitting cultural knowledge, teachings, and protocols, but it is no longer used in the same way. Knowledge of the Territory can be assessed by understanding current awareness within the CNA population of where culturally significant places exist and if they are accessible.

### Indicator: Sharing Knowledge

Cultural sustainability depends on intergenerational knowledge transfer. The HVC Mine Site has limited the opportunities available for youth or any CNA Participating Band individual reclaiming nłe?kėpmx Knowledge to receive cultural teachings because of changes to access on the land and changes in the quality and quantity of wildlife and vegetation hunted and harvested. Elders and Knowledge Holders who speak the language and can offer teachings are aging and may not be able to share their knowledge in connection to tmıx<sup>w</sup> the longer the mine operates. nłe?kėpmx sptėk<sup>wł</sup> (creation story) are embedded with lessons, teachings about culture, economic systems, political structures, social norms and relationship codes, worldviews, morality, ideology, and how to understand the physical world (Napoleon 2016). sptėk<sup>wł</sup> (creation story) are often connected to places and without being able to physically access the places that the sptėk<sup>wł</sup> (creation story) are connected to, the lessons lose value and meaning.



### Indicator: Language

Language and the rules embedded in language inform our understanding of how we relate to the natural world and to each other (Kimmerer 2017). Indigenous languages in Canada were nearly lost but fortunately Canada is witnessing a resurgence in Indigenous culture including revitalizing language. The cumulative impacts of colonization – including industrial development, residential schools, sixties scoop and the overrepresentation of Indigenous children in the child welfare system are why collaborative efforts to revitalize nłeʔkėpmxcín is necessary and urgent. The CNA Participating Band members expressed that they would know that cultural and nłeʔkėpmxcín revitalization efforts are successful when they hear nłeʔkėpmxcín more often and see nłeʔkėpmxcín in the community, such as on signs. Access to resources and classes for learning nłeʔkėpmxcín would also be more accessible. The HVC Mine Site has prevented access to culturally important locations with specific names in nłeʔkėpmxcín that may hold cultural teachings.

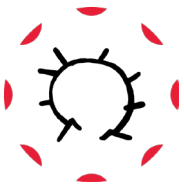
### Indicator: nłeʔkėpmx Community Education

Community education created by the nłeʔkėpmx about the nłeʔkėpmx for non-nłeʔkėpmx people is needed to increase cultural safety, sensitivity, awareness, and understanding in the hope that knowledge will lead to respectful relationships and advance reconciliation. The second audience for community education are for those people that belong to the nłeʔkėpmx and have a desire to learn more about nłeʔkėpmx culture. Modern life, long hours from commuting or shift work have reduced opportunities for some individuals to receive teachings, share knowledge, and learn about what it means to be nłeʔkėpmx and belong to the nłeʔkėpmx Nation. The CNA is interested in assessing how HVC supports opportunities for employees belonging to the CNA Participating Bands to learn and participate in nłeʔkėpmx culture.

### Value: Balance

Balance is an outcome or state of wholeness when nłeʔkėpmx individuals have what they need to be who they want to be and understand their role in relation to tmíx<sup>w</sup> and all living things. Balance is more easily attained when individuals have a strong sense of identity and belonging, connection to tmíx<sup>w</sup> and to their community and feel safe to practice their traditions and culture. The concept of balance arose from dialogue related to health and wellness, where it was felt that wellness or well-being was a non-nłeʔkėpmx concept that did not align to their worldview.

nłeʔkėpmx individuals and communities are in a process of healing from historical trauma resulting from colonization, residential schools, sixties scoop, and the overrepresentation of Indigenous children in the child welfare system. Taking action and empowering individuals and communities through initiatives such as developing CBIs are important healing processes. Exercising self-determination through actions that influence the decisions impacting future generations is important and necessary for healing that may bring individuals, families, and communities into balance. Indicators identified



under the Balance\* value are Identity (Self-Determination), Meaningful and Sustainable Employment, Sole-Source Revenue Generation, Self-Awareness, Connection, and Sense of Safety.

### Indicator: Identity (Self-Determination)

As Indigenous Peoples' identity is in relationship to the land, negative impacts to the land also result in negative impacts to the cultural, social, and economic dimensions of identity. When a person's sense of identity and self-determination is threatened, as has happened to Indigenous People in Canada due to the intergenerational trauma caused by historical harms, balance is lost and Indigenous People are at greater risk of negative social outcomes such as substance abuse, violence, and mental illness (NCCIH 2022). Additionally, the ability to express identity is a form of self-determination, whereby there is self-advocacy and support for oneself in meaningful growth, hopeful futures, and cultural revitalization. This can be in the form of access and availability of scholarships, educational bursaries, employment opportunities supporting cultural expression, and those with clear potential for career advancement.

When the CNA Participating Band members can positively connect to their identity, feel positive and hopeful about their futures and their children's futures, are informed about the balance of tmíx<sup>w</sup> and can advocate for themselves and their non-human relations (tmíx<sup>w</sup>, wildlife, air, q<sup>w</sup>úʔ, and ʔ<sup>w</sup>yəp) is there the potential to achieve balance.

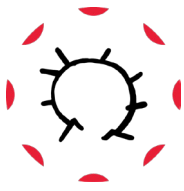
Balance can also be measured overtime when there are improved opportunities to support sustainable livelihoods, such as increased support for academic and trade scholarships or educational bursaries or employment that has clear potential for career advancements.

### Indicator: Meaningful and Sustainable Employment

Meaningful and sustainable employment is essential to fostering self-determination within the CNA Participating Bands. Having access to employment which is intellectually stimulating and aligned with individual skills and interests is foundational to the development of self-confidence and self-worth. It is also important that defined career advancement and professional development pathways are developed, proving to Indigenous employees there are opportunities for advancement and salary increases. Given the boom-and-bust cycles associated with natural resource sectors, it is important employment opportunities provide long-term opportunities to mitigate the cyclical nature of the local economy.

### Indicator: Self-Awareness

The ability to be self-aware, understand one's role in relation to their cultural identity and how cultural roles and identity was impacted by colonization and residential schools facilitates balance. Having balance contributes to healing and physical, mental, emotional, and spiritual resilience. Balance can be measured through self reports of physical, emotional, spiritual, and mental balance, as well as individuals' understanding of their relationship to the nłeʔkəpmx Territory. Self-awareness can also be



measured when the CNA Participating Bands' members understand how intergenerational trauma has impacted individual and community balance and the ability to be resilient to shocks and stresses.

### Indicator: Connection

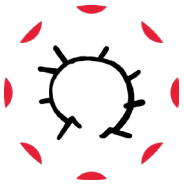
Community engagement with the CNA Participating Band members about HVC MLE revealed concerns that the experience of some members is that HVC Mine Site activities have contributed to family and community divisiveness. Some members expressed concern that HVC Mine could continue to negatively impact connections within and between families, and among nłe?kėpmx communities and other First Nations. Balance cannot be achieved without community cohesiveness and good collaborative relationships with others. Self-reports on individuals' connection to tmıx<sup>w</sup>, q<sup>w</sup>ú?, snéwt, and ƒwyəp, and sense of belonging to tmıx<sup>w</sup> indicate the achievement of balance. Measuring levels of community trust and the existence of positive relationships with other nłe?kėpmx Bands and other First Nations are important indicators of Balance.

### Indicator: Sense of Safety

Sense of safety speaks to individual and community perceptions of safety and the ability access and maintain connection to spaces and places across the cultural landscape without fear or interference. Individual sense of personal and community safety declined over the years because of increasing divisiveness in communities and deteriorating community cohesion. Additionally, perceptions of safety have been challenged, as the HVC Mine Site has attracted more non-nłe?kėpmx people to the area due to employment opportunities at the HVC Mine Site, resulting in an increase in the number of people kwılxms or harvesting in the territory. More non-nłe?kėpmx people using the land challenge nłe?kėpmx ability to exercise their Rights on the land without interference.

Confidence to be on tmıx<sup>w</sup> for hunting, fishing, and harvesting has also deteriorated due to the changes in q<sup>w</sup>ú? quality and quantity, and increased dust or contaminants in the environment. Industrial projects are concerning to the CNA Participating Band members because they fear that industrial projects, such as mining have contaminated the air, water, and land effecting the health conditions of the game, fish, and vegetation. The CNA Participating Band members also fear that additional noise may also disturb the wildlife. Hunters expressed concerns that about declining numbers and declining health of wildlife in their nłe?kėpmx Territory (Esh-kn-am 2012 in Spencer et al. 2021). For example, one Key Informant shared that she recently hunted a deer in the nłe?kėpmx territory. The deer had three tumours along its jaw. At the time of the interview, the hunter was not sure if the meat would be safe to consume. Confidence in the sustainability of the communities has also been impacted by the changes to q<sup>w</sup>ú? caused by the HVC Mine Site. Lack of safe or sufficient q<sup>w</sup>ú? has prevented communities from being able to grow or support agriculture and ranching, which jeopardizes community sustainability.

Sense of safety can be measured through the CNA Participating Bands' members actions and behaviours, such as locking their doors, or sense of comfort in the community that indicate how safe they perceive their communities. Actions and behaviours that also indicate safety include the perception



to safely consume wildlife and vegetation harvested in the n̄eʔk̄épmx Territory and comfortably using the n̄eʔk̄épmx Territory to participate in cultural activities and exercise inherent Rights. Observations of improved health and safety services such as improved access to health professionals and improved emergency services are also measures of sense of safety.

Improving sense of safety can be facilitated when the CNA is able to define acceptable levels of contaminants and information is readily available about the quality and quantity of water that is in the n̄eʔk̄épmx Territory that supports sustainable livelihoods.